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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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AMANPREET SINGH BATH,

Plaintiff,

v.

WILLIAM MUNIZ,

Defendant.

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Case No. 18-cv-00508-MEJ

ORDER TO SHOW CAUSE

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Petitioner, who is in custody at Salinas Valley State Prison, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. *See* Pet., Dkt. No. 1. He names as Defendant the Warden of that facility. Petitioner was convicted in this District, and he alleges violations of his due process rights under the Fifth and Fourteenth Amendments of the United States Constitution. The petition appears to be timely, and it is verified by Petitioner.

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The Court has reviewed the petition and concludes that it warrants a response.

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Accordingly, IT IS HEREBY ORDERED as follows:

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- (1) The Clerk of Court shall serve a copy of the Petition and this Order upon Respondent and the Attorney General of the State of California. *See* 28 U.S.C. § 2254, Rule 4.
- (2) Respondent shall then file and serve an answer in accordance with 28 U.S.C. § 2254, Rule 5 and Habeas Corpus Local Rule 2254-6. Respondent shall file with the answer and serve on Petitioner a copy of all portions of the underlying state criminal record that were previously transcribed and are relevant to the issues presented by the petition.
- (3) Petitioner may serve and file a traverse responding to matters raised in the answer in accordance with 28 U.S.C. § 2254, Rule 5 and Habeas Corpus Local Rule 2254-6.
- (4) Respondent may file a motion to dismiss on procedural grounds in lieu of an answer, as set

1 forth in the Advisory Committee Notes to Rule 4 of the Rules Governing Section 2254
2 Cases. If such a motion is filed, Petitioner shall file with the Court and serve on
3 Respondent an opposition or statement of non-opposition within 28 days of the date the
4 motion is filed, and Respondent shall file with the Court and serve on Petitioner a reply
5 within 14 days of the date any opposition is filed.

6 **IT IS SO ORDERED.**

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8 Dated: February 20, 2018

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11 MARIA-ELENA JAMES
12 United States Magistrate Judge
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